IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISON

| JOE RICHARD "TREY" POOL, | § | |
|--------------------------------------|---|---------------------|
| III, TRENTON DONN "TRENT" | § | |
| POOL, and ACCELEVATE2020, | § | CIVIL ACTION |
| LLC, | § | |
| | § | No. 19-CV-2236 |
| Plaintiffs, | § | |
| v. | § | |
| CITY OF HOUSTON and ANNA | § | |
| RUSSELL, in her official capacity as | § | |
| Secretary of the City of Houston | § | |
| | § | |
| Defendants. | § | |
| | § | |

DEFENDANTS CITY OF HOUSTON'S AND ANNA RUSSELL'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE REPLY TO RESPONSE TO MOTION TO DISMISS OR, ALTERNATIVELY, FOR SUMMARY JUDGMENT

Defendants, the City of Houston ("Houston"), and Anna Russell,¹ the former City Secretary sued in her official capacity, (collectively "the City"), file this Unopposed Motion for Extension of Time to File Reply to Response to Motion to Dismiss or, Alternatively, Motion for Summary Judgment on Plaintiffs' claims, seeking a ten-day extension. In support of its Motion, the City states the following:

Under this Court's internal procedures, the City has just five days to file a reply to the Pool Plaintiffs' response to the City's motions here. That will make the City's reply due on April 13, 2021. Both counsel for the City are and have been involved in a large,

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¹ Ms. Russell is deceased.

emergency matter that has involved extensive briefing and evidentiary work since last Monday. That filing will be made on Thursday of this week. Consequently, neither has had any time to address a reply brief. A ten-day extension will give the City's counsel six days to prepare a file their reply after this filing is made.

This request for a ten-day extension is unopposed. It is not made for purposes of delay but only so justice can be done.

For the reasons stated herein, Defendants respectfully request that this Court grant Defendants' Unopposed Motion for Extension of Time to File Reply to Response to Motion to Dismiss/Motion for Summary Judgment on Plaintiffs' Claims and allow the City to file its reply on April 23, 2021, and award Houston such other relief as to which the Court finds it entitled.

Respectfully submitted,

ARTURO G. MICHEL City Attorney

SUZANNE R. CHAUVIN Chief, General Litigation Section

By: /s/ Suzanne R. Chauvin

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Attorneys for Defendants City of Houston and Anna Russell, in her official capacity as Secretary for the City of Houston

CERTIFICATE OF CONFERENCE

I certify that on April 13, 2021, Counsel for Plaintiffs was contacted by Collyn A. Peddie. Plaintiffs' Counsel stated that he is unopposed to this Motion.

/s/ Suzanne R. Chauvin
Suzanne R. Chauvin

CERTIFICATE OF SERVICE

I certify that on April 13, 2021, a copy of the foregoing Defendants City of Houston and Anna Russell's Unopposed Motion for Extension of Time to File Reply to Response to Motion to Dismiss or, Alternatively, Motion for Summary Judgment on Plaintiffs' Claims was served electronically on the CM/ECF system which will automatically serve an electronic notice on the following counsel of record for Plaintiffs:

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/s/ Suzanne R. Chauvin

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